

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ANTHONY M. SOKOL,

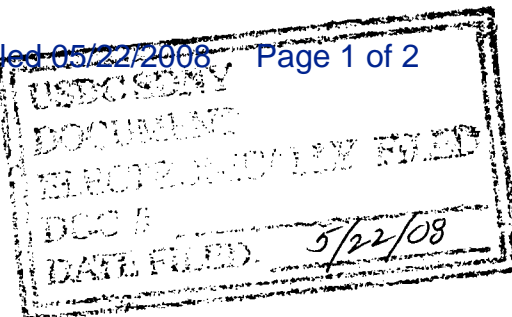
Plaintiff,

-against-

WYETH, INC. and  
WYETH PHARMACEUTICALS, INC.,

Defendants.  
-----X

KEVIN NATHANIEL FOX  
UNITED STATES MAGISTRATE JUDGE



**AMENDED ORDER<sup>1</sup>**

07 Civ. 8442 (SHS)(KNF)

By an order, dated May 9, 2008, the Court directed the plaintiff to: (a) submit to the Court, for an in camera review, all the documents listed on his first amended privilege log; and (b) inform the Court whether another privilege log exists, reconciling a discrepancy between the plaintiff's first amended privilege log and attachment Nos. 1-8, submitted to the Court, for an in camera review, in opposition to the defendants' Fed. R. Civ. P. 37 motion to compel the production of documents, and, if so, submit that comprehensive privilege log to the Court. On May 15, 2008, the plaintiff submitted to the Court his second amended privilege log and the "packet of emails" stamped with page Nos. 1-201. The plaintiff also advised the Court that the final eight entries in his second amended privilege log reference the attachment Nos. 1-8, submitted previously to the Court for an in camera review, as part of the plaintiff's opposition to the defendants' motion.

---

<sup>1</sup> This order supplants the Court's order, dated May 22, 2008, concerning the plaintiff's second amended privilege log.

The plaintiff's second amended privilege log is deficient. It fails to provide necessary information that would enable the Court to identify what communications correspond to what items on the plaintiff's second amended privilege log, and thereby assess the plaintiff's privilege claims. For example, the plaintiff's attachment No. 4 contains multiple e-mail communications by different senders and receivers, sent on different dates, and some communications lack information about the: sender, receiver, date, time and subject matter of the transmission. The plaintiff's second amended privilege log indicates only one date and two e-mail communications, one of which contains two general subject matter descriptions, that refer to the plaintiff's attachment No. 4, as indicated on the copy of the plaintiff's second amended privilege log submitted to the Court.

Therefore, the plaintiff shall: (1) conform his second amended privilege log to Fed. R. Civ. P. 26 (b)(5) and Local Civil Rule 26.2 of this court; and (2) on or before May 29, 2008, serve on the defendants and submit to the Court the conformed second amended privilege log. On or before June 5, 2008, upon review of the plaintiff's conformed second amended privilege log, the defendants shall advise the Court what impact, if any, that log has on their outstanding motion to compel. Thereafter, on or before June 11, 2008, the plaintiff may submit any response he deems warranted. Any reply by the defendants may be submitted to the Court on or before June 13, 2008.

Dated: New York, New York  
May 22, 2008

SO ORDERED:

  
\_\_\_\_\_  
KEVIN NATHANIEL FOX  
UNITED STATES MAGISTRATE JUDGE